

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

United States of America,)	
)	
v.)	CRIMINAL ACTION NO.
)	1:09-CR-490
The Public Warehousing Company)	
K.S.C., a/k/a Agility,)	
)	
Defendant.)	
)	

**DEFENDANT’S CONSENT MOTION FOR CONTINUANCE
OF INITIAL APPEARANCE AND ARRAIGNMENT**

A hearing for initial appearance and arraignment in this matter was scheduled for 10:30 a.m. on January 29, 2010 before the Honorable C. Christopher Hagy. The government has attempted to serve Defendant The Public Warehousing Company, K.S.C., a/k/a Agility (“PWC”), a Kuwaiti company, by service on its United States subsidiary. There is a question as to whether such attempted service is adequate and sufficient. Accordingly, PWC requests a continuance so that the parties may attempt to resolve this issue.

PWC moves to continue the initial appearance to Monday, February 8, 2010 at 10:00 a.m. before the Honorable Janet F. King.

The United States consents to this continuance.

A proposed order is attached.

Dated: January 29, 2010

Respectfully submitted,

/s/Richard H. Deane, Jr.
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Attorney for Defendant

Consented To:

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Defendant.)	
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PROPOSED ORDER

Upon good cause having been shown, initial appearance and arraignment in this matter is rescheduled to Monday, February 8, 2010 at 10:00 a.m. before the Honorable Janet F. King.

Because the Defendant has not made an initial appearance yet; a continuance is requested by the Defendant; and due to the complex nature of the case, to the extent the District's Speedy Trial Plan and the Speedy Trial Act apply, the court finds that the ends of justice served by granting the continuance outweigh the interest of the public and the Defendant in a speedy trial. Pursuant to 18 U.S.C. § 3161(h)(7)(A), the period between the date of this Order and the continue date shall be excludable under the District's Speedy Trial Plan and the Speedy Trial Act.

SO ORDERED, this the ____ day of _____, 2010.

The Honorable C. Christopher Hagy,
Magistrate Judge for the United States
District Court of the Northern District of
Georgia

CERTIFICATE OF SERVICE

I hereby certify that on this day I have caused a copy of the foregoing document to be electronically filed with the Clerk of Court using the CM/ECF system, which will automatically send email notification of such filings to the following attorneys of record:

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This 29th day of January, 2010.

s/Richard H. Deane, Jr.
Richard H. Deane, Jr.